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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,442	12/15/2003	Robert Hearn	02-022.23	3422

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EXAMINER

BROWN, DREW J

ART UNIT PAPER NUMBER

3616

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/736,442	Applicant(s) HEARN ET AL.	
	Examiner Drew J. Brown	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/18/05 (preliminary amendment).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/15/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of some minor informalities. In line two, "seatbelt restrain" should be changed to --seatbelt restraint--. In line 3, "accessing to rear passenger" should be changed to --access to a rear passenger--. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 4-6, 8, 9, and 11-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Sobkow et al. (U.S. Pat. No. 3,567,247).

With respect to claim 1, Sobkow et al. discloses a low mount seat guide loop for holding a seatbelt restraint of a vehicle seat, where the low mount seat guide loop comprises a strap (74) adapted for attachment to the seat (66) such that the seatbelt restraint (70) can be disposed between the strap and the vehicle seat.

With respect to claim 2, at least one snap (78) attaches the strap to the vehicle seat.

With respect to claim 4, the strap is adapted to be disposed in an extended position (Figure 3), in which the strap extends over the seatbelt restraint to hold the seatbelt restraint via elastic sleeve (72), and a retracted position, in which the seatbelt restraint can be removed from between the strap and the vehicle seat.

With respect to claim 5, the strap is adapted to be attached to the vehicle seat via at least one snap (78) when the strap is in the retracted position and in the extended position.

With respect to claims 6 and 13, the strap includes an elastic portion (72).

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With respect to claim 8, Sobkow et al. discloses a strap adapted to be connected to a cushion (66) and adapted to hold a seatbelt restraint (70) between the cushion and the strap.

With respect to claim 9, at least one snap (78) fixes the strap relative to the cushion.

With respect to claim 11, the strap is adapted to be disposed in an extended position (Figure 3), in which the strap extends over the seatbelt restraint to hold the seatbelt restraint via elastic sleeve (72), and a retracted position, in which the seatbelt restraint can be removed from between the strap and the cushion.

With respect to claim 12, the strap is adapted to be fixed relative to the cushion via at least one snap (78) when the strap is in the retracted position and in the extended position.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sobkow et al. in view of Reiter (U.S. D464,562 S).

Sobkow et al. discloses the claimed invention as discussed above but does not disclose that the snap further comprises a magnet. Reiter, however, does disclose a snap that further comprises a magnet. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Sobkow et al. in view of the teachings of Reiter to include a magnet with the snap fastener in order to provide a more secure connection between the strap and the vehicle seat or cushion.

6. Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sobkow et al. in view of Stawicki (U.S. Pat. No. 5,330,255).

Sobkow et al. discloses the claimed invention as discussed above but does not disclose that the strap can be tucked into a pocket. Stawicki, however discloses that an inflatable neck

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support can be stored in a storage pocket in the seat by making the bladder (28) detachable from the seat (column 4, lines 15-18). The strap of Sobkow et al. is located in the same region as the bladder of Stawicki, and it is also detachable. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Sobkow et al. in view of the teachings of Stawicki to have a pocket in the seat in order to decrease the chances of losing the strap by providing storage space for it when not being used.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rosko, Sher, Kotter Lenders, Simmons, Boone, Lynch, Alexandre, Glendon, Zawisa et al., Tanaka, Van, Scime, Grene, Xu, Corbett et al., Matsumoto, and Cunningham et al. disclose similar seat belt guides.

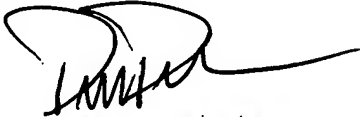
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Drew J. Brown whose telephone number is 571-272-1362. The examiner can normally be reached on Monday-Thursday from 8 a.m. to 4 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Drew J. Brown
Examiner
Art Unit 3616

DJB
1/27/06



DAVID R. DUNN
PRIMARY EXAMINER